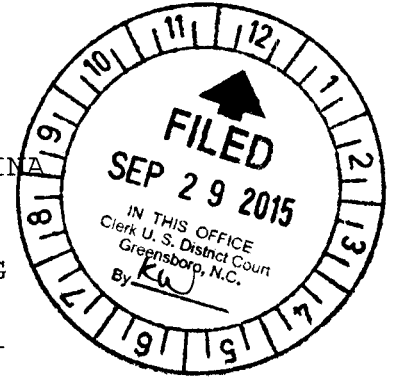


IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



UNITED STATES OF AMERICA : SUPERSEDING  
:   
v. : 1:15CR100-1  
:   
LIN [NMN] CHENG :

The Grand Jury charges:

COUNTS ONE THROUGH FOUR

From on or about August 4, 2013, continuing up to and including on or about March 4, 2015, the exact dates to the Grand Jurors unknown, in the Counties of Durham and Orange, in the Middle District of North Carolina, and elsewhere, LIN [NMN] CHENG, with the intent to convert a trade secret belonging to CREE, Inc., for the economic benefit of someone other than CREE, Inc., and intending and knowing that the offense would injure CREE, Inc., did knowingly and without authorization copy, duplicate, download, upload, replicate, transmit, deliver, send, mail, communicate, and convey a trade secret owned by CREE, Inc., and attempt to do so, which was related to a product and service used in and intended for use in interstate or foreign commerce as described in the chart below:

COUNT	DATE (on or about)	TRADE SECRET
ONE	8/4/2013 - 3/4/2015	The electronic file titled "11526DCC1.xlsx" containing a trade secret concerning thyristor technology
TWO	8/5/2013 - 3/4/2015	The electronic file titled "11524DCC1.xlsx" containing a trade secret concerning diode technology

THREE	8/27/2014 - 3/4/2015	The electronic file titled "Prod MOSFET Master Traveler_Copy of CDF0020T.xls" containing a trade secret concerning MOSFET technology
FOUR	8/4/2013 - 3/4/2015	The electronic file titled "11594EVB1.xlsx" containing a trade secret concerning Gate Turn Off thyristor technology

All in violation of Title 18, United States Code, Section 1832(a)(2) and (a)(4).

#### COUNTS FIVE THROUGH EIGHT

From on or about August 4, 2013, continuing up to and including on or about March 4, 2015, the exact dates to the Grand Jurors unknown, in the Counties of Durham and Orange, in the Middle District of North Carolina, and elsewhere, LIN [NMN] CHENG, with the intent to convert a trade secret to the economic benefit of someone other than CREE, Inc., and intending and knowing that the offense would injure CREE, Inc., did knowingly receive and possess a trade secret, knowing the same to have been stolen and appropriated, obtained, and converted without authorization, which was related to a product and service used in and intended for use in interstate and foreign commerce as described in the chart below:

COUNT	DATE (on or about)	TRADE SECRET
FIVE	8/4/2013 - 3/4/2015	The electronic file titled "11526DCC1.xlsx" containing a trade secret concerning thyristor technology
SIX	8/5/2013 - 3/4/2015	The electronic file titled "11524DCC1.xlsx" containing a trade secret concerning diode technology

SEVEN	8/27/2014 - 3/4/2015	The electronic file titled "Prod MOSFET Master Traveler_Copy of CDF0020T.xls" containing a trade secret concerning MOSFET technology
EIGHT	8/4/2013 - 3/4/2015	The electronic file titled "11594EVB1.xlsx" containing a trade secret concerning Gate Turn Off thyristor technology

All in violation of Title 18, United States Code, Section 1832(a)(3).

#### COUNT NINE

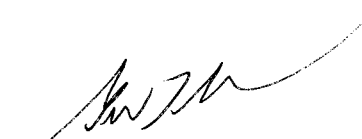
From on or about February 17, 2014, continuing up to and including on or about March 4, 2015, the exact dates to the Grand Jurors unknown, in the Counties of Durham and Orange, in the Middle District of North Carolina, and elsewhere, LIN [NMN] CHENG did knowingly and willfully embezzle, steal, purloin, and convert to her own use property made and being made under contract for the United States or any department and agency of the United States, that is, the United States Army, to wit: seven (7) 20 kV - 30 Amp Insulated Gate Bipolar Transistors and four (4) 15 kV - 18 Amp Schottky Diodes, having a value of more than \$1,000.00; in violation of Title 18, United States Code, Section 641.

#### COUNT TEN

On or about March 4, 2015, in the County of Orange, in the Middle District of North Carolina, LIN [NMN] CHENG, in a matter within the jurisdiction of the executive branch of the Government of the United States of America, that is, the Federal Bureau of Investigation, in order to mislead the Federal Bureau of Investigation, did willfully

and knowingly make materially false, fictitious, and fraudulent statements and representations, to wit: (a) denied having possession of information belonging to CREE, Inc.; (b) stated that she reported to her employer the entirety of all communications with Ares Fang; (c) denied that she transferred proprietary information belonging to CREE, Inc., to persons outside of CREE, Inc.; and (d) claimed that a contract with NCJ Consulting was for her husband's marketing advice, when in truth and in fact, as she then well knew, she was in possession of a computer file containing a production process belonging to CREE, Inc.; she did not reveal to her employer the entirety of all communications with Ares Fang; she transferred proprietary information belonging to CREE, Inc., to persons outside of CREE, Inc.; and the contract with NCJ consulting was not related to her husband providing marketing advice; all in violation of Title 18, United States Code, Section 1001.

A TRUE BILL:

  
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GRAHAM T. GREEN  
ASSISTANT UNITED STATES ATTORNEY  
\_\_\_\_\_  
RIPLEY RAND  
UNITED STATES ATTORNEY